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EXAMINER	
HUYNH, SON P	
ART UNIT	**PAPER NUMBER**
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/296,452	BRUCK ET AL.	
	Examiner	Art Unit	
	Son P Huynh	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 May 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *58-89 and 92-104* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *58-89 and 92-104* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *20 October 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed on May 20, 2004 have been fully considered but they are not persuasive. Applicant's arguments with respect to claims 58-89, 92-93 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues claim 94 recites limitation "...receiving a time zone specific chat room identifier from the host server that identifies a time zone specific chat room associated with the video program and a chat server..." (page 14, lines 16-18). In response, this limitation is not recited in claim 94. Claim 94 recites, "receiving a chat room identifier from the host server that identifies the available chat room associated with the video program and a chat server" (page 8 lines 16-17).

In addition, Applicant argues Schindler, Stautner, and Schultheiss fail to teach or suggest receiving a user interface template identifying characteristic with the video program that identifies one of a plurality of distinct user interface templates available at the client system, each of which defines at least a video region for displaying the video program and a chat region for displaying text communication, and displaying any received or sent chat communication based on the identified user interface template. This argument is respectfully traversed.

Schultheiss discloses the set top box controls the display of information on the TV 115 in response to the user commands. The set top box formats the TV 115 display so that the information is displayed according to the user command. The information can be displayed in full screen display or other modes may be used. For example, a partial display mode may also be used wherein the information appears on a first portion of the display while a second portion of the TV 115 is used to display other information (e.g. video from a TV program) – col. 5, lines 14-29). Schultheiss further discloses the chat is displayed in one portion while TV program is displayed on another portion of the screen (figure 32). Thus, user interface template identifying characteristic with the video program that identifies one of a plurality distinct user interface templates available at the system must be received. (e.g. user interface templates identifying other information with program such as chat, mail, etc. that identifies one of plurality distinct user interface template available at the set top box must be received to control the display of television program in full screen, or television program in portion of the screen while additional information of the program such as chat, mail, weather, etc. display in a portion of screen), each of which defines at least a video region for displaying video program and a chat region for displaying text communication, and displaying any received or sent chat communication based on the identified user interface template (e.g. user interface template defines top portion of the screen for displaying TV program and another portion of the screen for displaying text communication, and displaying chat any received or sent chat communication on the another portion defined for text communication – figure 32).

Examiner further provides these references to support the limitations of receiving a user interface template identifying characteristic with the video program that identifies one of a plurality of distinct user interface templates available at the client system: US 6,240,555; US 6,637,032; US 5,613,057; US 5,539,822; US 5,524,193.

For reasons given above, rejections on claims 58-89, 92-104 are discussed below.

Claims 1-57, 90-91 have been cancelled.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 58-67, 71-81, 85-89 and 92-93 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schindler (US 6,081,830) in view of Moncreiff (US 6,061,716).

Regarding claim 58, Schindler discloses a system wherein the pointing device 14 permits the control of the screen pointer provided by the graphic user interface of operating system. Computer 10 of computer system 7 detects has running thereon

communication software having chat room capability. If the pointing device controls the tuner to switch to a new channel, identification code for a program currently on the channel is sent to a server. The server then links the computer to a chat room for the program corresponding to the identification code. This enables the user to virtually chat with other users watching the same program. The video program and chat content are simultaneously displayed on screen 38 (figures 1-3 and col. 1, line 65-col. 2, line 20). Thus, Schindler teaches a client system (5, 7 and 9- figure 1) comprising display for simultaneously showing video programs received from one or more video sources (TV input) and chat communication corresponding to the received video programs, wherein the client system is capable of connecting to one or more host servers of one or more service provider and one or more of chat servers (20) offering chat rooms the method comprising:

receiving a video program from a video source (TV input- figure 1);

displaying the video program at the client system (display XYZ program- figure 3);

receiving chat link data from the service provider (receiving identification code);

sending a chat request to a host server (sending identification code to server 20);

receiving a chat room identifier from the host server that identifies the available chat room associated with the video program and a chat server (receiving identification code for program currently on the channel);

automatically connecting the client system with the chat room that is associated with the video program using the chat room identifier received from the host server (link computer 5, 7, 9 to a chat room for program corresponding to the identification code).

However, Schindler does not specifically show time zone specific chat zoom; the chat link data indicating that the client system may display a user selectable chat link for connecting to a chat room that is associated with the video program; displaying the chat link simultaneously with the video program; and sending a chat request to a host server upon receiving user selection of the chat link.

Moncreiff discloses providing a time zone screen that allow user to locate user time zone (figures 6-7, col. 5, lines 8-24). Once the user name and password have been accepted by the chat module 26, the user places his cursor over a channel select button 92 and accordingly can scroll through the channels that are available from his carrier, to select one of the channels as the basis for a chat room conversation. Upon selection of a channel, a pull down room select button 94 appears next to the channel select button 92. The room select button 94 presents the chat rooms that have been established for the selected channel. The user scrolls through the available chat rooms for selected channel and selects one by clicking on the room select button 94. To enter a chat room, the user then clicks on an "enter chat" button 96. This input is received by the chat module 26, the chat module 26 presents a chat screen 102 (figure 4 and col. 5, line 50-col. 6, line 18). Selecting the remote chat feature invokes the time zone screen 72 and the area carrier/screen 76 to facilitate selection of the remote chat room (col. 7, lines 37-49, figures 6-9a). Necessarily, a time zone specific chat room identifier that identifies time zone specific chat room associated with the video program and a chat server is received (chat room identifiers associated with channel KAAA, KAAB, etc. in San Diego,

CA – figures 7, 9); the chat link data indicating that the client system may display a user selectable chat link for connecting to a chat room that is associated with the video program (chat icon 94, 136, 138, 134 – figure 4, 9); sending a chat request to a host server upon receiving user selection of the chat link (enter chat input is received by the chat module). It is obvious to one of ordinary skill in the art that video program associated with the selected channel is displayed on the screen when the user select the channel icon so that the user can view the program associated with the channel and the chat icon simultaneously before select the chat icon or enter chat icon. Thus, the program associated with the selected channel simultaneously displayed with chat link (chat icons or enter chat icon). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schindler to use the teaching as taught by Moncreiff in order to allow user to control access to the chat session.

Regarding claim 59, Schindler teaches the host and chat servers are the same server (server 20, figure 1).

Regarding claim 60, Schindler teaches the video program and the chat link data (identification code) are received in a signal broadcast from the video source (TV input - see col. 1, line 65-col. 2, line 4).

Regarding claim 61, Schindler teaches the video program is displayed in a video region (40) of the display and text communications are displayed in a chat region (52) of the display (see figure 3).

Regarding claim 62, Schindler teaches the chat region of the display is adjacent the video region of the display (see figure 3).

Regarding claim 63, Schindler in view of Moncreiff teaches a method as discussed in the rejection of claim 61. However, neither Schindler nor Moncreiff explicitly discloses the chat region of display overlies the video region of the display. Official Notice is taken that overlaying chat region over video region is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify Schindler and Moncreiff to use the well-known teaching in the art in order to enlarge video region and chat region on the screen.

Regarding claim 64, Schindler teaches a chat user interface displayed in the chat region is customized based on one or more of (i) an episode of a television series included in the video program, (ii) a television series corresponding to the video program, (iii) a television network affiliate providing the video program, and (iv) a network providing the video program (XYZ program- figure 3).

Regarding claim 65, Schindler teaches an identifying characteristic (XYZ) of the video program is displayed outside of the video region of the display (see figure 3).

Regarding claim 66, Schindler teaches the identifying characteristic identifies an episode of a television series included in the video program (figure 3).

Regarding claim 67, Schindler teaches an identifying characteristic identifies a television series corresponding to the video program (figure 3).

Regarding claim 71, Schindler in view of Moncreiff teaches a method as discussed in the rejection of claim 58. Schindler further teaches the method comprising the steps of: determining an identifying characteristic of the video signal; and defining a user interface for display of the text communication, the user interface being configured to reflect the identifying characteristic of the video signal (see col. 6, lines 9- 43 or figure 2).

Regarding claim 72, Schindler teaches the user interface includes a predefined chat region for display of the text communication (region 52-figure 3).

Regarding claims 73-81, and 85-86, the claims are directed toward embody the method of claims 58-67, 71-72 in a "computer program product." It would have been obvious to one of ordinary skill in the art to embody the procedures of Schindler in view of

Moncreiff as discussed with respect to claims 58-67,71-72 in a "computer program product" in order that a processor could automatically perform the instructions.

Regarding claim 87, Schindler teaches the user interface includes a predetermined video region 40 for display of the video program XYZ (figure 3).

Regarding claims 88-89, the claims are directed toward embody the method of claims 62-63 in a "computer program product." It would have been obvious to one of ordinary skill in the art to embody the procedures of Schindler in view of Moncreiff as discussed with respect to claims 62-63 in "computer program product" in order that the processor could automatically perform the instructions.

Regarding claim 92, Schindler in view of Moncreiff teaches a method as discussed in the rejection of claim 58. Schindler further discloses the video program has a beginning and an end (for example, "Talk show: Politics" begins at 7:30 P. M and ends at 8:30 P.M – figure 2). However, neither Schindler nor Moncreiff explicitly discloses displaying a new chat link with the video program, and prior to the end of the video program, the new chat link linking to new chat room that is associated with a different video program. Official Notice is taken that providing multiple interactive links in video program wherein each link connects to different source is well known in the art. Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to modify

Schindler and Moncreiff to use the well known teaching in the art in order allow viewer to link to different source while watching program.

Regarding claim 93, Schindler in view of Moncreiff teaches a method as discussed in the rejection of claim 58. However, neither Schindler nor Moncreiff explicitly discloses chat room is maintained by the chat server only until the user leaves the chat room, wherein the user is determined to be a last participant to leave the chat room. Official Notice is taken that chat room is maintained only until the last user leaves the chat room is well known in the art. Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to modify Schindler and Moncreiff to use the well known teaching in the art in order to reduce maintenance cost of chat room.

4. Claims 68-70, 82-84 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schindler (US 6,081,830) in view of Moncreiff (6,061,716), and further in view of Knudson et al. (US 6,526,577).

Regarding claim 68, Schindler in view of Moncreiff teaches a method as discussed in the rejection of claim 65. Schindler discloses the identifying characteristic identifies a television network affiliate providing the video signal; and the identifying characteristic identifies a television network providing the video signal (see col. 4, lines 12-24). However, neither Schindler nor Moncreiff explicitly discloses displaying identifying

characteristic identifies a television network affiliate providing the video program outside of the video region of the display.

Knudson teaches identifying characteristic (program information screen) identifies a television network affiliate providing the video program is displayed outside video region (see figure 12). Therefore, it would have been obvious to one of ordinary skill in the art to modify Schindler and Moncreiff to use the teaching as taught by Knudson in order to provide video program without overlay on video region thereby allow viewer to view video program easily.

Regarding claim 69, Schindler in view of Moncreiff teaches a method as discussed in the rejection of claim 65. Schindler discloses the identifying characteristic identifies a television network providing the video signal (see col. 4, lines 12-24). However, neither Schindler nor Moncreiff explicitly discloses displaying identifying characteristic identifies television network providing the video program outside of the video region of the display.

Knudson teaches identifying characteristic (program information screen) identifies a television network providing the video program is displayed outside video region (see figure 12). Therefore, it would have been obvious to one of ordinary skill in the art to modify Schindler and Moncreiff to use the teaching as taught by Knudson in order to

provide video program without overlay on video region thereby allow viewer to view video program easily.

Regarding claim 70, Schindler in view of Moncreiff teaches a method as discussed in the rejection of claim 65. However, neither Schindler nor Moncreiff specifically discloses the identifying characteristic includes a background underlying other displayed data.

Knudson teaches the identifying characteristic includes a background underlying other displayed data (see figure 17). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schindler and Moncreiff to use the teaching as taught by Knudson in order to improve user interface display.

Regarding claims 82-84, the claims are directed toward embody the method of claims 68-70 in a "computer program product." It would have been obvious to one of ordinary skill in the art to embody the procedures of Schindler in view of Moncreiff and Knudson as discussed with respect to claims 68-70 in a "computer program product" in order that a processor could automatically perform the instructions.

5. Claims 94-104 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schindler (US 6,081,830) in view of Stautner et al. (US 6,600,503), and further in view of Schultheiss et al. (US 6,545,722).

Regarding claim 94, Schindler discloses a system wherein the pointing device 14 permits the control of the screen pointer provided by the graphic user interface of operating system. Computer 10 of computer system 7 detects has running thereon communication software having chat room capability. If the pointing device controls the tuner to switch to a new channel, identification code for a program currently on the channel is sent to a server. The server then links the computer to a chat room for the program corresponding to the identification code. This enables the user to virtually chat with other users watching the same program. The video program and chat content are simultaneously displayed on screen 38 (figures 1-3 and col. 1, line 65-col. 2, line 20). Thus, Schindler teaches a client system (5, 7 and 9- figure 1) comprising display for simultaneously showing video programs received from one or more video sources (TV input) and chat communication corresponding to the received video programs, wherein the client system is capable of connecting to one or more host servers of one or more service provider and one or more of chat servers (20) offering chat rooms the method comprising:

receiving a video program from a video source (TV input- figure 1);

displaying the video program at the client system (display XYZ program- figure 3);

receiving chat link data from the service provider (receiving identification code);

sending a chat request to a host server (sending identification code to server 20);

receiving a chat room identifier from the host server that identifies the available chat room associated with the video program and a chat server (receiving identification code for program currently on the channel);

automatically connecting the client system with the chat room that is associated with the video program using the chat room identifier received from the host server (link computer 5, 7, 9 to a chat room for program corresponding to the identification code); defining at least a video region for displaying the video program and a chat region for displaying text communication (e.g. defining window 40 on the upper right portion for displaying video and window 52 on low right portion for displaying text communication (figure 3); and displaying any received or sent chat communication based on the identified user interface template (displaying received and sent chat communication based on the defined portion). However, Schindler does not specifically show the chat link data indicating that the client system may display a user selectable chat link for connecting to a chat room that is associated with the video program; displaying the chat link simultaneously with the video program; sending a chat request to a host server upon receiving user selection of the chat link; receiving user interface template identifying characteristic with the video program that identifies one of plurality of distinct user interface templates available at the client system.

Stautner teaches receiving chat link data from service provider indicating that the client system may display a user selectable chat link (30 –figures 2-3) for connecting to a chat room that is associated with the video program (ABC evening news – figure 3); displaying the user selectable chat link simultaneously with the video program (icons-figure 3); upon receiving user selection of the chat link, sending a chat request to a host server (figures 2-3 and col. 7, lines 26-40). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schindler to

use the teaching as taught by Stautner in order to allow user to control access to the chat session. However, neither Schindler nor Stautner explicitly discloses receiving user interface template identifying characteristic with the video program that identifies one of plurality of distinct user interface templates available at the client system.

Schultheiss discloses the set top box controls the display of information on the TV 115 in response to the user commands. The set top box formats the TV 115 display so that the information is displayed according to the user command. The information can be displayed in full screen display or other modes may be used. For example, a partial display mode may also be used wherein the information appears on a first portion of the display while a second portion of the TV 115 is used to display other information (e.g. video from a TV program) – col. 5, lines 14-29). Schultheiss further discloses the chat is displayed in one portion while TV program is displayed on another portion of the screen (figure 32). Thus, user interface template identifying characteristic with the video program that identifies one of a plurality distinct user interface templates available at the system must be received. (e.g. user interface templates identifying other information with program such as chat, mail, etc. that identifies one of plurality distinct user interface template available at the set top box must be received to control the display of television program in full screen, or television program in portion of the screen while additional information of the program such as chat, mail, weather, etc. display in a portion of screen), each of which defines at least a video region for displaying video program and a chat region for displaying text communication, and displaying any received or sent

chat communication based on the identified user interface template (e.g. user interface template defines top portion of the screen for displaying TV program and another portion of the screen for displaying text communication, and displaying chat any received or sent chat communication on the another portion defined for text communication – figure 32). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schindler and Stautner to use the teaching as taught by Schultheiss in order to allow user to control the display on the screen.

Regarding claim 95, Schindler teaches the host and chat servers are the same server (server 20, figure 1).

Regarding claim 96, Schindler teaches the video program and the chat link data (identification code) are received in a signal broadcast from the video source (TV input - see col. 1, line 65-col. 2, line 4).

Regarding claim 97, Schindler teaches the video program is displayed in a video region (40) of the display and text communications are displayed in a chat region (52) of the display (see figure 3).

Regarding claim 98, Schindler teaches a chat user interface displayed in the chat region is customized based on one or more of (i) an episode of a television series included in

the video program, (ii) a television series corresponding to the video program, (iii) a television network affiliate providing the video program, and (iv) a network providing the video program (XYZ program- figure 3).

Regarding claims 99-102, the claims are directed toward embody the method of claims 94-97 in a "computer program product." It would have been obvious to one of ordinary skill in the art to embody the procedures of Schindler in view of Stautner and Schultheiss as discussed with respect to claims 94-97 in a "computer program product" in order that a processor could automatically perform the instructions.

Regarding claim 103, Schindler in view of Stautner and Schultheiss teaches a method as discussed in the rejection of claim 99. Schindler further discloses the video program has a beginning and an end (for example, "Talk show: Politics" begins at 7:30 P. M and ends at 8:30 P.M – figure 2). However, neither Schindler nor Stautner nor Schultheiss explicitly discloses displaying a new chat link with the video program, and prior to the end of the video program, the new chat link linking to new chat room that is associated with a different video program. Official Notice is taken that providing multiple interactive links in video program wherein each link connects to different source is well known in the art. Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to modify Schindler, Stautner and Schultheiss to use the well known teaching in the art in order allow viewer to link to different source while watching program.

Regarding claim 104, Schindler in view of Stautner and Schultheiss teaches a method as discussed in the rejection of claim 99. However, neither Schindler nor Stautner nor Stautner explicitly discloses chat room is maintained by the chat server only until the user leaves the chat room, wherein the user is determined to be a last participant to leave the chat room. Official Notice is taken that chat room is maintained only until the last user leaves the chat room is well known in the art. Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to modify Schindler, Stautner and Schultheiss to use the well known teaching in the art in order to reduce maintenance cost of chat room.

6. Claims 94-104 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schindler (US 6,081,830) in view of Stautner et al. (US 6,600,503), and further in view of Alexander et al. (US 6,177,931).

Regarding claim 94, Schindler discloses a system wherein the pointing device 14 permits the control of the screen pointer provided by the graphic user interface of operating system. Computer 10 of computer system 7 detects has running thereon communication software having chat room capability. If the pointing device controls the tuner to switch to a new channel, identification code for a program currently on the channel is sent to a server. The server then links the computer to a chat room for the program corresponding to the identification code. This enables the user to virtually chat with other users watching the same program. The video program and chat content are

simultaneously displayed on screen 38 (figures 1-3 and col. 1, line 65-col. 2, line 20). Thus, Schindler teaches a client system (5, 7 and 9- figure 1) comprising display for simultaneously showing video programs received from one or more video sources (TV input) and chat communication corresponding to the received video programs, wherein the client system is capable of connecting to one or more host servers of one or more service provider and one or more of chat servers (20) offering chat rooms the method comprising:

receiving a video program from a video source (TV input- figure 1);

displaying the video program at the client system (display XYZ program- figure 3);

receiving chat link data from the service provider (receiving identification code);

sending a chat request to a host server (sending identification code to server 20);

receiving a chat room identifier from the host server that identifies the available chat room associated with the video program and a chat server (receiving identification code for program currently on the channel);

automatically connecting the client system with the chat room that is associated with the video program using the chat room identifier received from the host server (link computer 5, 7, 9 to a chat room for program corresponding to the identification code);

defining at least a video region for displaying the video program and a chat region for displaying text communication (e.g. defining window 40 on the upper right portion for displaying video and window 52 on low right portion for displaying text communication (figure 3); and displaying any received or sent chat communication based on the identified user interface template (displaying received and sent chat communication

based on the defined portion 52– figure 3). However, Schindler does not specifically show the chat link data indicating that the client system may display a user selectable chat link for connecting to a chat room that is associated with the video program; displaying the chat link simultaneously with the video program; sending a chat request to a host server upon receiving user selection of the chat link; receiving user interface template identifying characteristic with the video program that identifies one of plurality of distinct user interface templates available at the client system.

Stautner teaches receiving chat link data from service provider indicating that the client system may display a user selectable chat link (30 –figures 2-3) for connecting to a chat room that is associated with the video program (ABC evening news – figure 3); displaying the user selectable chat link simultaneously with the video program (icons-figure 3); upon receiving user selection of the chat link, sending a chat request to a host server (figures 2-3 and col. 7, lines 26-40). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schindler to use the teaching as taught by Stautner in order to allow user to control access to the chat session. However, neither Schindler nor Stautner explicitly discloses receiving user interface template identifying characteristic with the video program that identifies one of plurality of distinct user interface templates available at the client system.

Alexander discloses the viewer can request that the Grid Guide occupy the entire screen, be displayed over a portion of the screen as an overlay of the video television programming, or, in the preferred embodiment, occupy only a portion of the screen (col.

7, lines 20-30). The EPG formats on screen notifications to the viewer and displays the notification to the viewer. On screen notifications can be used to alert the viewer to any number of possible items of information. For example, the on screen notifications alert user of an interest program. The notification can be displayed in number of ways, including: a complete screen overlay; a partial screen overlay; the real time program video is automatically changed to a PIP format, and the notification is displayed inside of the PIP window; as "watermark" somewhere on screen; an on screen icon is displayed which can be "press" by the viewer using navigation keys, etc. (col. 14, line 47-col. 15, line 31). Thus, the user interface template identifying characteristic with the video program that identifies on of plurality of distinct user interface templates must be received to control data displayed in PIP format, complete overlay, partial overlay, watermark, etc. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schindler and Stautner to use the teaching as taught by Alexander in order to control the display of data on screen in a predetermined format thereby allow the data to be located easily.

Regarding claim 95, Schindler teaches the host and chat servers are the same server (server 20, figure 1).

Regarding claim 96, Schindler teaches the video program and the chat link data (identification code) are received in a signal broadcast from the video source (TV input - see col. 1, line 65-col. 2, line 4).

Regarding claim 97, Schindler teaches the video program is displayed in a video region (40) of the display and text communications are displayed in a chat region (52) of the display (see figure 3).

Regarding claim 98, Schindler teaches a chat user interface displayed in the chat region is customized based on one or more of (i) an episode of a television series included in the video program, (ii) a television series corresponding to the video program, (iii) a television network affiliate providing the video program, and (iv) a network providing the video program (XYZ program- figure 3).

Regarding claims 99-102, the claims are directed toward embody the method of claims 94-97 in a "computer program product." It would have been obvious to one of ordinary skill in the art to embody the procedures of Schindler in view of Stautner and Alexander as discussed with respect to claims 94-97 in a "computer program product" in order that a processor could automatically perform the instructions.

Regarding claim 103, Schindler in view of Stautner and Alexander teaches a method as discussed in the rejection of claim 99. Schindler further discloses the video program has a beginning and an end (for example, "Talk show: Politics" begins at 7:30 P. M and ends at 8:30 P.M – figure 2). However, neither Schindler nor Stautner nor Alexander explicitly discloses displaying a new chat link with the video program, and prior to the

end of the video program, the new chat link linking to new chat room that is associated with a different video program. Official Notice is taken that providing multiple interactive links in video program wherein each link connects to different source is well known in the art. Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to modify Schindler, Stautner and Alexander to use the well known teaching in the art in order allow viewer to link to different source while watching program.

Regarding claim 104, Schindler in view of Stautner and Alexander teaches a method as discussed in the rejection of claim 99. However, neither Schindler nor Stautner nor Alexander explicitly discloses chat room is maintained by the chat server only until the user leaves the chat room, wherein the user is determined to be a last participant to leave the chat room. Official Notice is taken that chat room is maintained only until the last user leaves the chat room is well known in the art. Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to modify Schindler, Stautner and Alexander to use the well known teaching in the art in order to reduce maintenance cost of chat room.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Killian (US 6,163,316) teaches electronic programming system and method.

Fu et al. (US 6,647,370) teaches system and method for scheduling and tracking events across multiple times zones.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son P Huynh whose telephone number is 703-305-1889. The examiner can normally be reached on 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher C Grant can be reached on 703-305-4755. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Son P. Huynh
August 20, 2004

HAI TRAN
PATENT EXAMINER